

**House File 450 - Introduced**

HOUSE FILE 450  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 108)

**A BILL FOR**

1 An Act concerning the contract bidding process for public  
2 improvement projects and its application to certain  
3 government entities.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.2, subsection 2, Code 2015, is amended  
2 to read as follows:

3 2. *“Governmental entity”* means the state, political  
4 subdivisions of the state, public school corporations, and all  
5 officers, boards, or commissions empowered by law to enter  
6 into contracts for the construction of public improvements,  
7 ~~excluding the state board of regents and the state department~~  
8 ~~of transportation.~~ “Governmental entity” includes the state  
9 board of regents as provided in section 26.4A.

10 Sec. 2. NEW SECTION. 26.4A State board of regents.

11 The state board of regents shall comply with this chapter  
12 when advertising for bids and selecting the lowest responsible  
13 bidder under section 262.34, subsection 1.

14 Sec. 3. Section 26.7, subsection 2, Code 2015, is amended  
15 to read as follows:

16 2. ~~The notice to bidders may provide that bids will be~~  
17 ~~received~~ The governmental entity shall notify bidders that the  
18 governmental entity will accept bids for the furnishing of all  
19 labor and materials and furnishing or installing equipment  
20 under one contract, ~~or~~ and shall notify bidders whether the  
21 governmental entity will accept optional bids for parts thereof  
22 in separate sections.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with  
25 the explanation's substance by the members of the general assembly.

26 Currently, the state board of regents and the department  
27 of transportation are exempted from Code chapter 26, the  
28 Iowa Construction Bidding Procedures Act, through a specific  
29 exemption in the Code chapter's definition of "governmental  
30 entity".

31 This bill makes Code chapter 26 applicable to both the state  
32 board of regents and the department of transportation and  
33 specifically requires the state board of regents to comply with  
34 Code chapter 26 when advertising for bids and selecting the  
35 lowest responsible bidder as governed by Code section 262.34,

1 subsection 1.

2     The bill requires governmental entities seeking to contract  
3 for a public improvement project to notify bidders that bids  
4 covering all labor and materials related to the project will  
5 be accepted, but also authorizes government entities to allow  
6 bidders to submit separate bids for separate portions of the  
7 project.